1983 No. 140

COMPANIES

The Companies (Forms) (Amendment) Regulations (Northern Ireland) 1983

Made	*2nd June 1983*
Coming into operation . . .	*1st July 1983*

The Department of Economic Development, in exercise of the powers contained in all those provisions of the Companies Acts (Northern Ireland) 1960 to 1982(**a**) cited in Schedule 1 which powers were either conferred on or are now vested in it(**b**) and of every other power enabling it in that behalf, hereby makes the following regulations:

Citation and commencement

1. These regulations may be cited as the Companies (Forms) (Amendment) Regulations (Northern Ireland) 1983 and shall come into operation on 1st July 1983.

Interpretation

2. In these regulations—

"the 1961 regulations" means the Companies (Forms) Regulations (Northern Ireland) 1961(**c**);

"the 1979 regulations" means the Companies (Forms) Regulations (Northern Ireland) 1979(**d**).

PART I

AMENDMENTS TO THE 1961 REGULATIONS

Translations

3. For regulation 7 of the 1961 regulations there shall be substituted the following regulation:

"**7.** A translation into English of any document required to be delivered to the registrar of companies in pursuance of section 41(1) or section 368(2) of the Act or Article 3(7) or Article 11(2) of the Companies (Northern Ireland) Order 1978(**e**) shall be certified to be a correct translation if it is so certified

(*a*) where made in the United Kingdom by—

(i) a notary public in any part of the United Kingdom;

(ii) a solicitor of the Supreme Court of Judicature of Northern Ireland or of England and Wales or if made in Scotland, a solicitor; or

(iii) any person whom a person mentioned in head (i) or (ii) certifies is known to him as competent to translate the document into the English language;

(**a**) 1960 c. 22 (N.I.); S.I. 1978/1042 (N.I. 12); S.I. 1981/838 (N.I. 19); S.I. 1982/1534 (N.I. 17)
(**b**) By S.I. 1982/846 (N.I. 11) Art. 4
(**c**) S.R. & O. (N.I.) 1961 No. 83
(**d**) S.R. 1979 No. 231
(**e**) S.I. 1978/1042 (N.I. 12)

(*b*) where made outside the United Kingdom by—

(i) any person for the time being authorised by law in the place where the translation is made to administer an oath for any judicial or other legal purpose;

(ii) any of the British officials mentioned in section 6 of the Commissioners for Oaths Act 1889(**a**);

(iii) a notary public; or

(iv) any person whom a person mentioned in head (i), (ii) or (iii) certifies is known to him as competent to translate the document into the English language.''.

Notice

4. For regulation 8 of the 1961 regulations there shall be substituted the following regulation:

'' **8.**—(1) The notices to be given pursuant to section 200(1) and (3) of the Act by the transferee company to any dissenting shareholder and to any shareholders who have not assented to the scheme or contract and by a shareholder, who has not so assented, to the transferee company, shall be in Forms Nos. 100, 100a and 100b respectively.

(2) Any notice to be given pursuant to section 200 of the Act to a shareholder in a transferor company shall be given to him personally or by sending it by post to him but where this cannot be done because the shareholder is the holder of a share warrant to bearer the notice shall be given:

(i) in cases where the articles of association or regulations of the transferor company provide that notice to such shareholders may be given by advertisement, by advertisement in the manner so provided, and

(ii) in any other case, by means of an advertisement in the Belfast Gazette.

(3) Where in accordance with paragraph (2) a notice has to be sent by post it shall be sent to the shareholder:

(*a*) at his address in the United Kingdom registered in the books of the transferor company, or

(*b*) if no address in the United Kingdom is so registered, to the address if any within the United Kingdom, supplied by him to the transferor company for the giving of notices to him, or

(*c*) if no address in the United Kingdom is registered or has been so notified, to his address outside the United Kingdom registered in the books of the transferor company, and

if it is sent to an address in the United Kingdom it shall be sent by recorded delivery post but otherwise it shall be sent by airmail post.''.

Forms

5.—(1) Subject to paragraph (2), the 1961 regulations shall have effect as if:

(*a*) for Forms Nos. 7, 28, 58, 100, 100A and 100B set out in the Schedule, there were substituted respectively the forms set out in Schedule 2; and

(*b*) for Forms Nos. 17, 18, 19, 21, 22 and 23 set out in the Schedule there were substituted the forms set out in Schedule 3.

(2) Paragraph (1) shall not apply in relation to an annual return (Form No. 7) made by a company on or after 1st July 1983 in any case where there is a duty, by

(a) 52 and 53 Vict. c. 10

virtue of Article 9(3) of the Companies (Northern Ireland) Order 1978 to annex to the return a copy of any balance sheet laid before the company in general meeting before that date.

PART II

AMENDMENTS TO THE 1979 REGULATIONS

Forms

6. The 1979 regulations shall have effect as if for Forms Nos. 1 and 9b set out in the Schedule, there were substituted respectively Forms Nos. 1 and 9b set out in Schedule 4.

Sealed with the Official Seal of the Department of Economic Development for Northern Ireland on 2nd June 1983.

(L.S.) *W. T. McCrory*
Assistant Secretary

SCHEDULE 1

The Companies Act (Northern Ireland) 1960(a):

Sections 53(1)(b), 62(1)(c), 120(1)(c), 191(6)(d), 200(1) and (3)(c), 332(1)(c) and (11)(e), 334(*a*) and (*c*)(f) and 336(c).

The Companies (Northern Ireland) Order 1978(g):

Article 57(1)(h).

The Companies (Northern Ireland) Order 1982(i):

Article 95(5).

(a) 1960 c. 22 (N.I.)
(b) As amended by S.I. 1981/838 (N.I. 19) Art. 87(1) and Sch. 3
(c) As amended by S.I. 1978/1042 (N.I. 12) Art. 125(1) and Sch. 4
(d) As substituted by S.I. 1978/1042 (N.I. 12) Art. 58(1)
(e) As inserted by S.I. 1982/1534 (N.I. 17) Art. 113(1) and Sch. 3 (subsection (10) was inserted by S.I. 1981/838 (N.I. 19) Art. 87(1) and Sch. 3)
(f) As amended by S.I. 1978/1042 (N.I. 12) Art. 125(1) and Sch. 4; *see* also S.I. 1981/838 (N.I. 19) Art. 15(4)
(g) S.I. 1978/1042 (N.I. 12); *see* also Art. 2(3)
(h) *See* also Art. 131(2)
(i) S.I. 1982/1534 (N.I. 17); *see* also Art. 2(4)

SCHEDULE 2 Regulation 5(1)(*a*)

Form No. 7

THE COMPANIES ACTS (NORTHERN IRELAND) 1960 TO 1982

Annual return of a company not having a share capital

Pursuant to section 120 of the Companies Act (Northern Ireland) 1960
(as amended by the Companies (Northern Ireland) Order 1978
and the Companies (Northern Ireland) Order 1982)
and to section 121 of the Companies Act (Northern Ireland) 1960

Please do not write in this binding margin

Please complete legibly, preferably in black type, or bold block lettering

To the Registrar of Companies

For official use

Company number

Annual return of

Limited*

*delete if inappropriate

made up to the _____ 19 ____ (the date of this return)

Address of registered office of the company

Total amount of indebtedness of the company in respect of all mortgages and charges which are required to be registered with the Registrar of Companies (note 1) £ _____

If the register of members or any register of debenture holders is kept at a place other than the registered office, insert the address of the place where it is kept, or if either register is kept otherwise than in a legible form and the place for inspection of the register is elsewhere than at the registered office, insert the address where inspection may be made.

Register of members (note 2)

Register of debenture holders (note 2)

**enter number of continuation sheets attached

We certify this return which comprises pages 1 and 2 [plus** _____ continuation sheets]*

Signed _____ Director, and _____ Secretary

Presentor's name, address and reference (if any):

For official use
General section Post room

Particulars of the person who is the secretary of the company at the date of this return

Name (notes 3, 4 and 5)
Previous name(s) (note 3)
Address (notes 4, 5 and 6)

Please do not write in this binding margin

Please complete legibly, preferably in black type, or bold block lettering

Particulars of the persons who are directors of the company at the date of this return (note 7)

Name (note 3)	Nationality
Previous name(s) (note 3).	Date of birth (note 8)
Address (note 6)	
	Business occupation
Other directorships (note 9)*	

Important
The particulars to be given are those referred to in section 191 of the Companies Act (Northern Ireland) 1960, as amended by Article 95 of the Companies (Northern Ireland) Order 1982.

*enter particulars of other directorships held or previously held. If this space is insufficient use a continuation sheet.

Name (note 3)	Nationality
Previous name(s) (note 3)	Date of birth (note 8)
Address (note 6)	
	Business occupation
Other directorships (note 9)*	

Name (note 3)	Nationality
Previous name(s) (note 3)	Date of birth (note 8)
Address (note 6)	
	Business occupation
Other directorships (note 9)*	